

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**IN RE: LITHIUM ION BATTERIES
ANTITRUST LITIGATION**

Case No.: 13-MD-2420 YGR

**ORDER RE: TOSHIBA CORPORATION'S PRE-
FILING CONFERENCE LETTER FOR EARLY
SUMMARY JUDGMENT**

This Order Relates to:

**All Direct and Indirect Purchaser
Actions**

The Court is in receipt of defendant Toshiba Corporation's Pre-Filing Conference Letter for Early Summary Judgment and the plaintiffs' response thereto (Dkt. Nos. 723, 725) and has considered the issues raised therein. Accordingly, the Court finds it is not necessary to hold a Pre-Filing Conference. Permission for Toshiba Corporation to file an early summary judgment motion is granted. The motion shall be filed by no later than **June 30, 2015**.

By **June 15, 2015**, the defendant shall identify the affiants upon which it intends to rely for its early summary judgment motion and shall propose dates for each deposition to occur in the Northern District of California. The parties shall meet and confer and file a Joint Statement with agreed upon dates by **June 19, 2015**. To ensure said filing, the Court **SETS** a Compliance Hearing for **June 26, 2015 at 9:01 a.m.** in Courtroom 1 of the Federal Courthouse at 1301 Clay Street in Oakland, California. By **June 19, 2015**, the parties shall either file (a) the contemplated Joint Statement listing the agreed upon dates or (b) a Joint Statement explaining their failure to comply.


1 If compliance is complete, the hearing will be taken off calendar. Failure to comply may result in
2 sanctions.

3 With respect to the dispute regarding a briefing schedule, the plaintiffs shall file their
4 opposition brief within 35 days after the last deposition referenced above is taken. The defendant
5 shall file its reply within 30 days after the opposition is filed. The hearing on the motion shall be
6 set at a later date.

7 As Magistrate Judge Ryu is the discovery judge for all purposes in this action, further
8 reference to her is not necessary. The parties should address any actual disputes to her directly.

9 **IT IS SO ORDERED.**

10 Dated: June 8, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

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12 **CC: MAGISTRATE JUDGE RYU**
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